

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:17CR3068
)	
v.)	
)	
FRANCISCO DIAZ VARGAS,)	ORDER
)	
Defendant.)	
_____)	

At the request of counsel, I held a telephone conference with them today. Mr. Monzon indicated that he had a conflict of interest between the defendant in this case and the cooperating individual whose name has now been disclosed to Mr. Monzon by the government. The government agrees that Mr. Monzon has a conflict of interest. After discussing the matter, I too agree that Mr. Monzon has a conflict of interest. Mr. Monzon orally moves to withdraw.

IT IS ORDERED that:

(1) Mr. Monzon's oral motion to withdraw is granted and Mr. Monzon will have no further responsibility for this case except as provided herein. However, Mr. Monzon should promptly advise his former client of this event and shall cooperate fully with the defendant's new counsel. If the defendant wishes to retain his own counsel, he shall promptly do so. Mr. Monzon shall advise the defendant of this provision.

(2) This matter is referred to Magistrate Judge Zwart for a new trial setting and for the appointment of counsel if that is necessary.

(3) The time between today's date and the new trial date is excluded from computation under the Speedy Trial Act in the interests of justice and specifically to allow new counsel to get up to speed. See 18 U.S.C. § 3161.

(4) The Clerk shall provide Judge Zwart with a copy of this order.

DATED this 20th day of September, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge